

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

GENESCO INC.,

Plaintiff,

v.

VISA U.S.A. INC., VISA, INC., and
VISA INTERNATIONAL SERVICE
ASSOCIATION,

Defendants.

No. 3:13-cv-00202

Judge William J. Haynes

STIPULATION AND ~~PROPOSED~~ ORDER

1. Plaintiff Genesco Inc. ("Genesco") and Defendants Visa U.S.A. Inc., Visa Inc., and Visa International Service Association (collectively "Visa") respectfully submit this joint stipulation and order extending certain pre-trial deadlines and the trial of this matter set forth in Case Management Order No. 1 (Dkt. No. 25) (the "CMO"), the Stipulation and Order Extending Discovery and Expert Disclosure Deadlines (Dkt. No. 200), the Stipulation and Order (Dkt. No. 277), and the Court's Order dated March 31, 2014 (Dkt. No. 346).

2. The trial of this case, presently set for December 2, 2014, is hereby continued pursuant to further order of the Court.

3. **October 15, 2014** is now the deadline to complete fact discovery. The parties agree that such discovery shall include:

- a. Visa shall complete its search for and review of documents responsive to Visa's Request for Production No. 38 pursuant to the remote access provided by Genesco to certain portions of Genesco's computer system pursuant to the Third Agreed Protective Order;
- b. On August 1, 2014, Genesco produced the non-privileged documents identified by the search Genesco agreed to undertake as set forth in Genesco's letter dated

July 8, 2014, however, Genesco's doing so is without prejudice to Visa's pending motions;

- c. Visa shall produce non-privileged documents responsive to Genesco's Request for Production No. 11 located by means of the search that Visa agreed to conduct in its letter dated June 13, 2014; and
- d. The parties shall complete any other discovery required by the Order of the Court on Visa's Motion to Compel Plaintiff to Comply with the Court's Prior Orders Concerning Discovery of Remediation Measures and For Sanctions and an Expedited Hearing (Dkt. No. 358), Genesco's Motion to Compel (Dkt. No. 419), and Genesco's Motion to Compel Discovery (Dkt. No. 445).

4. Except for the discovery described in paragraphs 3(a)-(d) above and discovery statements related thereto, there shall be no further fact discovery or discovery-related statements except as may be agreed upon by the parties or as permitted by order of the Court.

5. On or before **November 14, 2014**, the parties may submit supplemental expert reports or disclosures addressing the agreed upon discovery referenced in paragraph 3 (a)-(d) above and/or other discovery hereinafter agreed upon or ordered by the Court, if any. On or before **December 15, 2014**, the parties are permitted to submit rebuttal expert reports in response to any such supplemental expert reports and/or disclosures. Otherwise, the parties may submit supplemental expert reports on any subject with leave of Court.

6. During the period **December 16, 2014** through **January 4, 2015**, neither party shall file any motion or otherwise take any adverse action.

7. Any dispositive motions and Daubert motions in this action shall be filed in this matter on or before **January 30, 2015**, any responses thereto shall be filed no later than **February 27, 2015**, and any replies shall be filed no later than **March 13, 2015**.

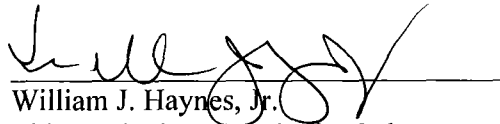
8. Any hearing on dispositive motions and Daubert motions in this action shall be held on or after **March 20, 2015**.

9. The trial of this matter shall be set by the Court for jury trial on all issues so triable on or after **April 22, 2015**.

10. Except as otherwise indicated herein, the CMO shall remain in full force and effect.¹

It is so **ORDERED**.

ENTERED this the 15th day of August, 2014.


William J. Haynes, Jr.
Chief United States District Judge

¹ This Order is without prejudice to the party's positions as set forth in the briefs submitted in connection with Genesco's Motion to Strike Purported Expert Declarations (Dkt. No. 489).